

THE HONORABLE TANA LIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHON HOLLIS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

AUDIBLE, INC.,

Defendant.

Case No.: 2:24-cv-01999-TL

**STIPULATION AND ~~PROPOSED~~
ORDER STAYING DISCOVERY
PENDING RULING ON AUDIBLE INC.'S
MOTION TO DISMISS**

STIPULATION

Plaintiff Jonathon Hollis and Defendant Audible, Inc., by and through their undersigned counsel, hereby stipulate as follows:

Plaintiff filed his Complaint against Defendant on December 4, 2024;

Defendant intends to move to dismiss Plaintiff's Complaint in its entirety;

Pursuant to the parties' stipulated briefing schedule, as approved by the Court on December 23, 2024, Defendant's motion to dismiss is due on January 24, 2025; Plaintiff's opposition is due on February 21, 2025; and Defendant's reply is due on March 7, 2025;

The parties met and conferred on January 10, 2025, and agreed that, in light of Defendant's potentially case-dispositive motion, a discovery stay serves the best interests of the parties and the Court;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the undersigned parties, and respectfully submitted for the Court's approval, that:

1. All discovery in this action should be stayed pending the resolution of Defendant's forthcoming motion to dismiss;
2. All initial discovery deadlines, including the deadline to serve Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) (currently scheduled for January 24, 2025) and the deadline to submit a Combined Joint Status Report and Discovery Plan pursuant to Fed. R. Civ. P. 26(f) (currently scheduled for February 7, 2025), should be vacated pursuant to this stay;
3. If Defendant's forthcoming motion to dismiss is denied in full or in part, the parties will meet and confer within 14 days of the Court's order denying the motion, and will submit to the Court a proposed schedule for resuming proceedings 21 days thereafter;
4. By entering into this stipulation, the parties do not waive any rights not specifically addressed herein or any right to seek other relief as may be appropriate.

Dated: January 13, 2025

Respectfully submitted,

By: /s/ Jonas Jacobson
Jonas Jacobson, WSBA No. 62890

By: /s/ Brian D. Buckley
Brian D. Buckley, WSBA No. 26423

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Attorneys for Defendant AUDIBLE, INC.

[PROPOSED] ORDER

The parties having stipulated to the following relief, the Court orders as follows:

1. All discovery in this action is stayed pending the resolution of Defendant's forthcoming motion to dismiss;
2. All initial discovery deadlines, including the deadline to serve Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1) (currently scheduled for January 24, 2025) and the deadline to submit a Combined Joint Status Report and Discovery Plan pursuant to Fed. R. Civ. P. 26(f) (currently scheduled for February 7, 2025), are vacated pursuant to this stay;
3. If Defendant's forthcoming motion to dismiss is denied in full or in part, the parties will meet and confer within 14 days of the Court's order denying the motion, and will submit to the Court a proposed schedule for resuming proceedings 21 days thereafter;
4. By entering into this stipulation, the parties do not waive any rights not specifically addressed herein or any right to seek other relief as may be appropriate.

SO ORDERED.

Dated this 21st day of January, 2025.



Tana Lin
United States District Judge

Presented by:

FENWICK & WEST LLP

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